

County of Santa Clara

Department of Environmental Health

Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716

Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0206659 - PHO DAO		Site Address 1631 N CAPITOL AV, SAN JOSE, CA 95132		Inspection Date 12/13/2024		Placard Color & Score YELLOW 71		
Program PR0302454 - FOOD PREP / FOOD SVC OP 6-25 EMPLOYEES RC 3 - FP14			Owner Name TRAN, QUANG		Inspection Time 13:15 - 14:30			
Inspected By MAMAYE KEBEDE		Inspection Type ROUTINE INSPECTION		Consent By SANG TRAN				FSC Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				
K02	Communicable disease; reporting/restriction/exclusion	X						S
K03	No discharge from eyes, nose, mouth	X						
K04	Proper eating, tasting, drinking, tobacco use	X						
K05	Hands clean, properly washed; gloves used properly		X		X			
K06	Adequate handwash facilities supplied, accessible	X						
K07	Proper hot and cold holding temperatures		X					N
K08	Time as a public health control; procedures & records					X		
K09	Proper cooling methods					X		
K10	Proper cooking time & temperatures	X						
K11	Proper reheating procedures for hot holding	X						
K12	Returned and reservice of food					X		
K13	Food in good condition, safe, unadulterated	X						
K14	Food contact surfaces clean, sanitized					X		N
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display						X	
K17	Compliance with Gulf Oyster Regulations						X	
K18	Compliance with variance/ROP/HACCP Plan						X	
K19	Consumer advisory for raw or undercooked foods						X	
K20	Licensed health care facilities/schools: prohibited foods not being offered						X	
K21	Hot and cold water available	X						
K22	Sewage and wastewater properly disposed	X						
K23	No rodents, insects, birds, or animals	X						

GOOD RETAIL PRACTICES		OUT	COS
K24	Person in charge present and performing duties		
K25	Proper personal cleanliness and hair restraints		
K26	Approved thawing methods used; frozen food		
K27	Food separated and protected	X	
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified	X	
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		
K33	Nonfood contact surfaces clean	X	
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity	X	
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use		
K39	Thermometers provided, accurate	X	
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices		
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned		
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing		
K45	Floor, walls, ceilings: built, maintained, clean		
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available		

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K48 Plan review		
K49 Permits available		
K58 Placard properly displayed/posted		

Comments and Observations

Major Violations

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: Serves working in the front area were observed collecting soiled dishes and cleaning tables and serve open food for customers without washing hands. [CA] Employee must be trained to wash hand in between touching unclean surface and ready to eat food products, after cleaning or handling chemicals, after picking up something off of the floor, after handling the register/money, after handling garbage, after touching face, hair or body, after eating, drinking, smoking, and chewing gum, after using the bathroom, and after sneezing, coughing, or using a tissue. Employee was told to wash his hand and change his gloves (COS).

Follow-up By
12/13/2024

K07 - 8 Points - Improper hot and cold holding temperatures; 11387.1, 113996, 113998, 114037, 114343(a)

Inspector Observations: Container full of fresh rice noodles placed on the preparation table in the kitchen was measured at 64 oF. Per chef, bags were removed from cooler 1 hour ago.
[Corrective Action] Keep noodles cold at 41F or below. [corrective action] Bags were returned to the reach-in cooler. Small amount was left in kitchen for use during service.

Follow-up By
12/13/2024

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: There is not a food safety manager certified person in the facility.
[CA] Someone from the facility must take a food safety certificate class within two months and keep copy of the certificate on file.

Food Safety Manager certificate class may be taken on the following websites:

1. Premier Food Safety:
<https://www.premierfoodsafety.com/food-manager-certification/california>
2. Learn 2 Serve:
<https://www.360training.com/learn2serve/food-safety-manager/California>
3. Serve Safe Manager:
<https://www.servsafe.com/ServSafe-Manager>

Couple of the employees do not have food handler cards.

[CA] Employee engaged in food preparation, storage, and service and who do not have food safety certificate must take food handler cards within a month of hire.

California approved Food Handler Card (FHC) class providers

All Directory Listing

(<https://anabpd.ansi.org/Accreditation/credentialing/certificate-issuers/AllDirectoryListing?prgID=228,238&statusID=4nsi.org>)

K27 - 2 Points - Food not separated and unprotected; 113984(a-d,f), 113986, 114060, 114067(a,d,e,j), 114069(a,b), 114077, 114089.1(c), 114143(c)

Inspector Observations: Raw food products like shell eggs were stored above ready to eat food products inside the upright fridge..

[CA] To prevent possible contamination, ready to eat food products and produce must be stored above or by the said of raw food products.

K30 - 2 Points - Food storage containers are not identified; 114047, 114049, 114051, 114053, 114055, 114067(h), 114069 (b)

Inspector Observations: Many food products on boxes were stored directly on the floor or on milk crate in the kitchen and back in the storage areas.

[CA] To prevent insect hiding and breeding and for easy cleaning of the floor area, please store all food products at least six inches off the floor on approved shelf or dunnage rack.

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K33 - 2 Points - Nonfood contact surfaces not clean; 114115(c)

Inspector Observations: *There is an abundant dust accumulation on the restroom's exhaust vent screen.*
[CA] *Conduct a regular cleaning on the screens.*

Re-used cardboard (from shipping boxes) used to line shelves and the floor of the cookline.
[CA] *Do not use cardboards to line shelves or cover the floor area.*

K35 - 2 Points - Equipment, utensils - Unapproved, unclean, not in good repair, inadequate capacity; 114130, 114130.1, 114130.2, 114130.3, 114130.4, 114130.5, 114132, 114133, 114137, 114139, 114153, 114155, 114163, 114165, 114167, 114169, 114175, 114177, 114180, 114182

Inspector Observations: *The large white freezer stored back in the kitchen and the upright single door fridge used to store the fresh noodle are not NSF/ANSI approved or ETL/UL Sanitation listed one.*
[CA] *All equipment used in the facility must be NSF/ANSI approved or ETL/UL Sanitation listed one.*

K39 - 2 Points - Thermometers missing or inaccurate; 114157, 114159

Inspector Observations: *There was not a functional prob thermometer to measure the internal temperature of the cold and hot food products.*
[CA] *Provide an approved prob type thermometer and use it with a regular calibration and sanitization.*

Performance-Based Inspection Questions

Needs Improvement - Food contact surfaces clean, sanitized.
Needs Improvement - Proper hot and cold holding temperatures.

Measured Observations

Item	Location	Measurement	Comments
Chicken	Upright freezer	0.00 Fahrenheit	
Chicken	Final cook	167.00 Fahrenheit	
Broth	Stove	167.00 Fahrenheit	
Hot water	Three compartment sink	125.00 Fahrenheit	
Steak	Preparation fridge	39.00 Fahrenheit	
Noodle	Preparation table	62.00 Fahrenheit	
Shell eggs	Upright fridge	34.00 Fahrenheit	
Cooked beef	Preparation fridge	40.00 Fahrenheit	

Overall Comments:

Note: *Food safety manager certificate: Not available.*

When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than **12/27/2024**. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

Legend:

[CA]	Corrective Action
[COS]	Corrected on Site
[N]	Needs Improvement
[NA]	Not Applicable
[NO]	Not Observed
[PBI]	Performance-based Inspection
[PHF]	Potentially Hazardous Food
[PIC]	Person in Charge
[PPM]	Part per Million
[S]	Satisfactory
[SA]	Suitable Alternative
[TPHC]	Time as a Public Health Control



Received By: Sang Tran
Manager
Signed On: December 13, 2024